

1  
2  
3  
4  
5  
6  
7  
8 UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION

11 FEDERAL TRADE COMMISSION,

12 Plaintiff,

13 v.

14 MICROSOFT CORPORATION and  
15 ACTIVISION BLIZZARD, INC.,

16 Defendants.  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Case No. 3:23-cv-02880-JSC

**[PROPOSED] ORDER GRANTING IN  
PART PLAINTIFF FEDERAL TRADE  
COMMISSION’S ADMINISTRATIVE  
MOTION TO CONSIDER WHETHER  
ANOTHER PARTY’S MATERIAL  
SHOULD BE SEALED [ECF NO. 336]**

Dept.: Courtroom 8—19th Floor  
Judge: Honorable Jacqueline S. Corley

This matter came before the Court on Plaintiff Federal Trade Commission's ("FTC") Administrative Motion to Consider Whether Another Party's Material Should Be Sealed ("Administrative Motion") (ECF No. 336) in connection with the FTC's Initial Proposed Findings of Fact and Conclusions of Law (hereafter, "Findings of Fact and Conclusions of Law") (ECF No. 175). Having considered the FTC's Administrative Motion, Defendant Microsoft Corporation's Statement in Response, and the Declaration of Alysha Bohanon in support, the Court hereby orders that the Administrative Motion is **GRANTED** with respect to Microsoft's confidential information as follows:

Document	Portions to be Filed Under Seal	Ruling
FoF-CoL	Page 5, paragraph 43, portions of lines 9-10	
FoF-CoL	Page 12, paragraph 90, portions of lines 4-6	
FoF-CoL	Page 12, paragraph 91, portions of lines 9-12	
FoF-CoL	Page 12, paragraph 92, portions of lines 13-15	
FoF-CoL	Page 12, paragraph 95, portions of lines 24-25	
FoF-CoL	Page 13, paragraph 98, portion of line 11	
FoF-CoL	Page 13, paragraph 100, portions of lines 15-16	
FoF-CoL	Page 14, paragraph 111, portion of line 21	
FoF-CoL	Page 14, paragraph 114, portions of lines 27-28	
FoF-CoL	Page 19, paragraph 146, portions of lines 26-28	
FoF-CoL	Page 20, paragraph 147, portions of lines 4-6	
FoF-CoL	Page 20, paragraph 148, portions of lines 8-10	
FoF-CoL	Page 20, paragraph 149, portions of lines 12-14	
FoF-CoL	Page 20, paragraph 152, portions of lines 23-25	
FoF-CoL	Page 20, paragraph 153, portions of lines 26-27	
FoF-CoL	Page 21, paragraph 154, portions of lines 1-5	
FoF-CoL	Page 21, paragraph 155, portions of lines 6-11	
FoF-CoL	Page 21, paragraph 156, portions of lines 12-14	
FoF-CoL	Page 21, paragraph 157, portions of lines 17-21	

Document	Portions to be Filed Under Seal	Ruling
FoF-CoL	Page 21, paragraph 158, portions of lines 22-25	
FoF-CoL	Page 21, paragraph 159, portions of lines 27-28 Page 22, paragraph 159, portions of lines 1-2	
FoF-CoL	Page 22, paragraph 162, portions of lines 15-16	
FoF-CoL	Page 22, paragraph 163, portions of lines 18-23	
FoF-CoL	Page 23, paragraph 164, portions of lines 25-26	
FoF-CoL	Page 23, paragraph 167, portions of lines 9-11	
FoF-CoL	Page 23, paragraph 168, portions of lines 12-14	
FoF-CoL	Page 23, paragraph 169, portions of lines 15-17	
FoF-CoL	Page 23, paragraph 171, portions of lines 20-23	
FoF-CoL	Page 23, paragraph 172, portions of lines 24-26	
FoF-CoL	Page 24, paragraph 173, portions of lines 1-3	
FoF-CoL	Page 24, paragraph 176, portions of lines 14-17	
FoF-CoL	Page 24, paragraph 177, portions of lines 21-23	
FoF-CoL	Page 24, paragraph 178, portions of lines 26-27	
FoF-CoL	Page 25, paragraph 179, portions of lines 1-2	
FoF-CoL	Page 25, paragraph 180, lines 3-6	
FoF-CoL	Page 25, paragraph 184, lines 20-24	
FoF-CoL	Page 25, paragraph 185, lines 25-28	
FoF-CoL	Page 26, paragraph 186, lines 1-3	
FoF-CoL	Page 26, paragraph 187, lines 4-6	
FoF-CoL	Page 26, paragraph 188, portions of lines 7-8	
FoF-CoL	Page 26, paragraph 189, portions of lines 9-14	
FoF-CoL	Page 26, paragraph 191, portions of lines 18-19	
FoF-CoL	Page 27, paragraph 199, portions of lines 14-16	
FoF-CoL	Page 29, paragraph 216, portions of lines 17-19	
FoF-CoL	Page 30, paragraph 219, portions of lines 7-10	

Document	Portions to be Filed Under Seal	Ruling
FoF-CoL	Page 30, paragraph 220, portions of lines 13-14	
FoF-CoL	Page 30, paragraph 222, portions of lines 19-21	
FoF-CoL	Page 30, paragraph 223, portions of lines 22-23	
FoF-CoL	Page 31, paragraph 227, portions of lines 17-20	
FoF-CoL	Page 32, paragraph 231, portions of lines 13-16	
FoF-CoL	Page 32, paragraph 234, portions of lines 27-28 Page 33, paragraph 234, portions of lines 1-3	
FoF-CoL	Page 33, paragraph 235, portions of lines 8-11	
FoF-CoL	Page 33, paragraph 238, portions of line 26	
FoF-CoL	Page 34, paragraph 239, portions of lines 1-6	
FoF-CoL	Page 35, paragraph 244, portions of lines 6-9	
FoF-CoL	Page 36, paragraph 248, portions of lines 7-9	
FoF-CoL	Page 36, paragraph 249, portions of lines 10-12	
FoF-CoL	Page 36, paragraph 250, portions of lines 13-15	
FoF-CoL	Page 36, paragraph 251, portions of lines 16-17	
FoF-CoL	Page 36, paragraph 252, portions of line 20	
FoF-CoL	Page 37, paragraph 255, portions of lines 12-17	
FoF-CoL	Page 37, paragraph 256, portions of lines 19-21	
FoF-CoL	Page 38, paragraph 258, portions of lines 2-4	
FoF-CoL	Page 38, paragraph 259, portions of lines 6-8	
FoF-CoL	Page 38, paragraph 261, portions of lines 14-18	
FoF-CoL	Page 39, paragraph 266, portions of lines 9-15	
FoF-CoL	Page 39, paragraph 267, portions of lines 18-21	
FoF-CoL	Page 39, paragraph 268, portions of lines 24-28	
FoF-CoL	Page 40, paragraph 269, lines 1-5	
FoF-CoL	Page 41, paragraph 275, portions of lines 14-18	
FoF-CoL	Page 43, paragraph 287, lines 16-19	

Document	Portions to be Filed Under Seal	Ruling
FoF-CoL	Page 44, paragraph 291, portion of line 6	
FoF-CoL	Page 44, paragraph 292, portions of lines 8-9	
FoF-CoL	Page 45, paragraph 298, portions of line 11	
FoF-CoL	Page 45, paragraph 299, portions of lines 14-17	
FoF-CoL	Page 45, paragraph 300, portions of lines 18-25	
FoF-CoL	Page 47, paragraph 309, portions of lines 5-6	
FoF-CoL	Page 48, paragraph 316, portions of lines 1-3	
FoF-CoL	Page 48, paragraph 317, portions of lines 4-5	
FoF-CoL	Page 48, paragraph 318, portions of lines 7-8	
FoF-CoL	Page 49, paragraph 326, portions of lines 14-16	
FoF-CoL	Page 49, paragraph 327, portions of lines 19-20	
FoF-CoL	Page 50, paragraph 329, portions of lines 3-6	
FoF-CoL	Page 50, paragraph 330, portions of lines 8-11	
FoF-CoL	Page 50, paragraph 331, portions of lines 13-16	
FoF-CoL	Page 50, paragraph 332, portions of lines 17-19	
FoF-CoL	Page 50, paragraph 333, portions of lines 21-28	
FoF-CoL	Page 51, paragraph 338, portions of lines 19-25	
FoF-CoL	Page 52, paragraph 343, portions of lines 18-19	
FoF-CoL	Page 52, paragraph 344, portions of lines 20-22	
FoF-CoL	Page 52, paragraph 345, portions of lines 23-24	
FoF-CoL	Page 54, paragraph 349, portions of lines 1-9	
FoF-CoL	Page 54, paragraph 350, portions of lines 10-15	
FoF-CoL	Page 54, paragraph 351, lines 16-21	
FoF-CoL	Page 54, paragraph 352, lines 22-27	
FoF-CoL	Page 55, paragraph 353, portions of lines 3-9	
FoF-CoL	Page 55, paragraph 354, portions of lines 11-16	

Document	Portions to be Filed Under Seal	Ruling
FoF-CoL	Page 55, paragraph 355, portions of lines 17-23	
FoF-CoL	Page 56, paragraph 357, portions of lines 3-9	
FoF-CoL	Page 56, paragraph 359, portions of lines 21-24	
FoF-CoL	Page 57, paragraph 362, portions of lines 9-15	
FoF-CoL	Page 57, paragraph 363, lines 16-22	
FoF-CoL	Page 57, paragraph 364, portions of lines 25-27	
FoF-CoL	Page 58, paragraph 365, lines 1-7	
FoF-CoL	Page 58, paragraph 367, portions of lines 13-15	
FoF-CoL	Page 58, paragraph 368, portions of lines 17-23	
FoF-CoL	Page 58, paragraph 369, portions of lines 24-26	
FoF-CoL	Page 59, paragraph 370, lines 1-6	
FoF-CoL	Page 59, paragraph 372, portions of lines 12-16	
FoF-CoL	Page 59, paragraph 373, lines 17-20	
FoF-CoL	Page 59, paragraph 374, lines 21-24	
FoF-CoL	Page 59, paragraph 375, lines 25-28 Page 60, paragraph 375, portions of lines 1-2, 5-6	
FoF-CoL	Page 60, paragraph 376, portions of lines 8-10	
FoF-CoL	Page 60, paragraph 377, lines 13-19	
FoF-CoL	Page 60, paragraph 378, portions of lines 21-28	
FoF-CoL	Page 62, paragraph 386, portions of lines 16-26	
FoF-CoL	Page 63, paragraph 388, portions of lines 7-11	
FoF-CoL	Page 63, paragraph 389, portions of lines 12-22	
FoF-CoL	Page 64, paragraph 392, portions of lines 6-14	
FoF-CoL	Page 64, paragraph 393, portions of lines 15-16	
FoF-CoL	Page 64, paragraph 395, portions of lines 21-26	
FoF-CoL	Page 65, paragraph 401, portions of lines 19-21	

Document	Portions to be Filed Under Seal	Ruling
FoF-CoL	Page 65, paragraph 402, portions of lines 23-26	
FoF-CoL	Page 65, paragraph 403, line 28 Page 66, paragraph 403, lines 1-5	
FoF-CoL	Page 66, paragraph 405, portions of lines 17-21	
FoF-CoL	Page 66, paragraph 406, portions of lines 22-28 Page 67, paragraph 406, portion of line 1	
FoF-CoL	Page 67, paragraph 407, portions of lines 2-5	
FoF-CoL	Page 67, paragraph 408, portions of lines 6-11	
FoF-CoL	Page 67, paragraph 409, portions of lines 12-15	
FoF-CoL	Page 67, paragraph 410, portions of lines 16-20	
FoF-CoL	Page 67, paragraph 411, portions of lines 21-28 Page 68, paragraph 411, portion of line 1	
FoF-CoL	Page 68, paragraph 412, portions of lines 5-6, 8-12	
FoF-CoL	Page 68, paragraph 413, portions of lines 17-20	
FoF-CoL	Page 68, paragraph 414, portions of lines 21-27	
FoF-CoL	Page 69, paragraph 415, portions of lines 2-8	
FoF-CoL	Page 69, paragraph 417, portions of lines 19-24	
FoF-CoL	Page 69, paragraph 418, portions of lines 27-28 Page 70, paragraph 418, portion of lines 2-3	
FoF-CoL	Page 70, paragraph 420, portions of lines 12-22	
FoF-CoL	Page 70, paragraph 421, portions of lines 24-25	
FoF-CoL	Page 70, paragraph 422, portions of lines 27-28	
FoF-CoL	Page 71, paragraph 423, portions of lines 1-4	
FoF-CoL	Page 71, paragraph 424, portions of lines 5-17	
FoF-CoL	Page 72, paragraph 430, portions of lines 18-26	
FoF-CoL	Page 73, paragraph 432, portions of lines 7-13	
FoF-CoL	Page 73, paragraph 433, lines 14-21	

Document	Portions to be Filed Under Seal	Ruling
FoF-CoL	Page 73, paragraph 434, lines 22-28 Page 74, paragraph 434, lines 1-2	
FoF-CoL	Page 74, paragraph 435, lines 3-8	
FoF-CoL	Page 74, paragraph 436, portions of lines 9-15	
FoF-CoL	Page 74, paragraph 437, portions of lines 16-21	
FoF-CoL	Page 74, paragraph 438, portions of lines 22-26	
FoF-CoL	Page 75, paragraph 444, portion of line 27	
FoF-CoL	Page 76, paragraph 449, portions of lines 16-17	
FoF-CoL	Page 76, paragraph 450, portions of lines 18-22	
FoF-CoL	Page 77, paragraph 452, portions of lines 5-8	
FoF-CoL	Page 78, paragraph 462, portions of lines 27-28 Page 79, paragraph 462, portions of lines 1-2	
FoF-CoL	Page 79, paragraph 464, portions of lines 11-17	
FoF-CoL	Page 79, paragraph 466, portions of lines 23-27	
FoF-CoL	Page 80, paragraph 467, portions of lines 3-5	
FoF-CoL	Page 80, paragraph 468, portion of line 7	
FoF-CoL	Page 83, paragraph 488, portions of lines 18-20	
FoF-CoL	Page 84, paragraph 494, portions of lines 12-19	
FoF-CoL	Page 85, paragraph 496, portion of line 6	
FoF-CoL	Page 85, paragraph 497, lines 8-9	
FoF-CoL	Page 85, paragraph 500, portions of lines 20-21	
FoF-CoL	Page 85, paragraph 501, portions of lines 22-23	
FoF-CoL	Page 85, paragraph 502, portions of lines 24-26	
FoF-CoL	Page 86, paragraph 507, portions of lines 27-28 Page 87, paragraph 507, portions of lines 1-3	
FoF-CoL	Page 88, paragraph 514, portions of lines 11-15	
FoF-CoL	Page 88, paragraph 516, portions of lines 22-24	



Document	Portions to be Filed Under Seal	Ruling
FoF-CoL	Page 88, paragraph 517, portions of lines 26-28	
FoF-CoL	Page 89, paragraph 520, portions of lines 8-9	
FoF-CoL	Page 89, paragraph 521, portions of lines 11-13	
FoF-CoL	Page 89, paragraph 523, portions of lines 23-24	
FoF-CoL	Page 89, paragraph 524, portions of lines 26-27	
FoF-CoL	Page 90, paragraph 525, portions of lines 1-2	
FoF-CoL	Page 90, paragraph 526, portions of lines 4-6	
FoF-CoL	Page 90, paragraph 527, portions of lines 8-10	
FoF-CoL	Page 90, paragraph 529, portions of lines 16-17	
FoF-CoL	Page 90, paragraph 530, portions of lines 19-20	
FoF-CoL	Page 90, paragraph 531, portions of lines 22-23	
FoF-CoL	Page 90, paragraph 532, portions of lines 25-27	
FoF-CoL	Page 91, paragraph 533, portions of lines 1-2	
FoF-CoL	Page 91, paragraph 534, portions of lines 4-6	
FoF-CoL	Page 91, paragraph 535, portions of lines 8-9	
FoF-CoL	Page 91, paragraph 536, portions of lines 11-13	
FoF-CoL	Page 91, paragraph 537, portions of lines 14-15	
FoF-CoL	Page 91, paragraph 539, portions of lines 20-21	
FoF-CoL	Page 91, paragraph 540, portions of lines 23-25	
FoF-CoL	Page 92, paragraph 541, portions of lines 1-2	
FoF-CoL	Page 92, paragraph 542, portions of lines 4-6	

1 IT IS SO ORDERED.

2  
3 DATED: \_\_\_\_\_, 2023

\_\_\_\_\_  
4 Honorable Jacqueline S. Corley  
5 United States District Judge  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28